

AMENDED IN SENATE JUNE 18, 2014

AMENDED IN SENATE JUNE 5, 2014

AMENDED IN SENATE JUNE 25, 2013

AMENDED IN ASSEMBLY MAY 20, 2013

AMENDED IN ASSEMBLY APRIL 22, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

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**ASSEMBLY BILL**

**No. 938**

**Introduced by Assembly Member Weber**

February 22, 2013

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An act to amend Section 89700 of, and to add Section 66025.6 to, the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 938, as amended, Weber. Public postsecondary education: fees.

Existing law establishes the California Community Colleges, the California State University, and the University of California as the 3 segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes them to provide instruction at community college campuses. Under existing law, the California State University comprises 25 campuses and the University of California comprises 10 campuses. Under existing law, the segments are authorized to impose fees on their students, both on a systemwide basis and with respect to individual campuses.

This bill would prohibit, ~~on and after July 1, 2015, a campus of the California Community Colleges or the California State University from~~

imposing a new ~~campus student success~~ fee, as defined, or increasing the amount of an existing ~~campus student success~~ fee, unless the imposition of the new fee or the increase of the existing fee is approved by a majority vote of the students of that campus who vote in an election held for that purpose. The bill would require that, in the event that a new ~~campus student success~~ fee or an increase in the amount of an existing ~~campus student success~~ fee is approved by the students of a campus in an election held under the bill, an oversight committee, with designated membership, be established.

The bill would urge the Regents of the University of California to adopt regulations and procedures relating to the imposition of new campus fees or increases in the amount of existing campus fees that would be equivalent to the requirements of this bill.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 66025.6 is added to the Education Code,  
2 to read:  
3 66025.6. Notwithstanding any other law:  
4 (a) ~~On and after July 1, 2015, a campus of the California~~  
5 ~~Community Colleges or the~~ The California State University may  
6 only impose a new ~~campus student success~~ fee, or increase the  
7 amount of an existing ~~campus student success~~ fee, if the imposition  
8 of the new fee or the increase of the existing fee is approved by a  
9 majority vote of the students of that campus who vote in an election  
10 held for that purpose.  
11 (b) The ballot used in an election held pursuant to subdivision  
12 (a) shall include a specific description of the purposes for which  
13 the proceeds of the proposed fee would be expended.  
14 (c) In the event that a new ~~campus student success~~ fee or an  
15 increase in the amount of an existing ~~campus student success~~ fee  
16 is approved by the students of a campus in an election held pursuant  
17 to subdivision (a), an oversight committee shall be established  
18 under this subdivision. The oversight committee shall be composed  
19 of students appointed by the student body organization of that  
20 campus, faculty members appointed by the faculty senate of that  
21 campus, and administrators appointed by the president of that  
22 campus, with the distribution of the membership of that oversight

1 committee among those three groups being determined by the  
2 student body organization of that campus.

3 (d) As used in this section, ~~“campus fee” means a fee that is~~  
4 ~~charged only to the students of a particular campus of the California~~  
5 ~~Community Colleges or the California State University, and is~~  
6 ~~thus distinguishable from a systemwide fee. “student success fee”~~  
7 *has the same meaning as that term is defined in paragraph (2) of*  
8 *subdivision (d) of Section 89712.*

9 SEC. 2. Section 89700 of the Education Code is amended to  
10 read:

11 89700. (a) Except as required pursuant to Section 66025.6,  
12 the trustees may by rule require all persons to pay fees, rents,  
13 deposits, and charges for services, facilities or materials provided  
14 by the trustees to those persons. The trustees may, by rule, provide  
15 for the method of collecting such fees, rents, deposits, and charges,  
16 and may, by rule, provide for the refund in whole or part of those  
17 fees, rents, deposits, and charges collected in error or collected for  
18 facilities, services, or materials not utilized.

19 (b) If the provisions of this section are in conflict with the  
20 provisions of a memorandum of understanding reached pursuant  
21 to Chapter 12 (commencing with Section 3560) of Division 4 of  
22 Title 1 of the Government Code, the memorandum of  
23 understanding shall be controlling without further legislative action,  
24 except that if such provisions of a memorandum of understanding  
25 require the expenditure of funds, the provisions shall not become  
26 effective unless approved by the Legislature in the annual Budget  
27 Act.

28 SEC. 3. The Regents of the University of California are urged  
29 to adopt regulations and procedures relating to the imposition of  
30 new campus fees or increases in the amount of existing campus  
31 fees that would be equivalent to the requirements of Section  
32 66025.6 of the Education Code as enacted by the act that adds this  
33 section.

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